

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-207988 DATE: July 12, 1982

MATTER OF: Fred Craner

DIGEST:

Protest of Small Business Administration's decision not to issue a certificate of competency is dismissed where protester fails to make prima facie showing of fraud or willful disregard of facts by Small Business Administration officials.

Fred Craner protests the Small Business Administration's (SBA) decision to deny him a certificate of competency (COC) concerning the Forest Service's "Deadhorse Timber Sale."

Under 15 U.S.C. § 637(b)(7)(Supp. III 1979), the SBA has authority to conclusively determine any or all elements of a small business concern's responsibility by issuing or declining to issue a COC. This Office has no authority to review SBA's determination or to require the reopening of a case where a COC has been denied unless the protester make a prima facie showing of fraud or willful disregard of the facts. See Ken Com, Inc., 59 Comp. Gen. 417, 421 (1980), 80-1 CPD 294. Since the protester does not show either circumstance, we will not consider the matter.

The protest is dismissed.

Harry R. Van Cleve
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Acting General Counsel